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February 8, 2016

VIA ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *In re Dental Supplies Antitrust Litigation*, No. 1:16-cv-00282 (ALL
DIRECT PURCHASER CASES)

Dear Judge Cogan:

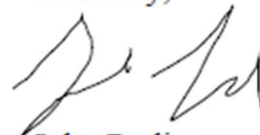
Our firm represents the direct purchaser plaintiffs in a number of the above-referenced actions. In response to the Court's Case Management Order No. 1, dated February 5, 2016, and in anticipation of tomorrow's initial status conference, I write concerning our cases and certain related actions filed by other plaintiffs. We wish to inform the Court in advance of an agreed proposal for leadership for the direct purchaser class, which modifies the proposal made in my January 29, 2016 letter seeking a pre-motion conference.

The agreed proposed co-lead class counsel, with whose consent I am writing, would be the following four firms: Berger & Montague, P.C. ("Berger"), Cohen Milstein Sellers & Toll PLLC ("CMST"), Hausfeld LLP ("Hausfeld"), and Susman Godfrey LLP ("Susman Godfrey"). My firm would serve as liaison counsel. We anticipate that the proposed co-lead counsel would be supported by an executive committee serving under the direction of co-lead counsel. Where appropriate, proposed co-lead counsel may also, from time to time, draw upon the skills, resources, and experience of other firms who have filed cases in this Court. Counsel in sixteen of the seventeen related class action cases currently pending in this Court support this leadership proposal. As far as we are aware, there are no related class action cases pending in other jurisdictions (those that had been filed have now been withdrawn and have been or are being refiled in this Court).

We will be prepared to discuss this proposed leadership structure at tomorrow's hearing, and within one week, if the Court should direct, we can file an appropriate motion and supporting papers to detail the qualifications of the proposed lead counsel for this matter and an accompanying proposed order. As we will address more specifically, the four proposed firms are distinctly well suited to pursue the claims of the proposed class together efficiently, aggressively and efficaciously, having successfully worked with one another in varying combinations in other antitrust class actions, including in this District. The Berger firm was one of the co-lead counsel in the *Visa/Mastercard* antitrust matter adjudicated in this District, which produced the largest antitrust settlement ever. CMST is co-lead counsel in the *Urethanes* (D. Kan.) antitrust matter, which yielded the largest jury verdict ever in a price-fixing class action (\$400 million prior to trebling), and is currently co-lead counsel with Berger in the *Domestic Drywall* (E.D. Pa.) and *Mixed Martial Arts* (D. Nev.) antitrust cases, and with Berger and Susman Godfrey in the *Propane* (W.D. Mo.) antitrust case. Hausfeld is one of the four co-lead counsel in the *Air Cargo* antitrust class action now in this Court, which has produced nearly \$1.2 billion in settlements to date, and the Hausfeld and Susman Godfrey firms were two of the three co-lead class counsel in *In re Vitamin C Antitrust Litigation*, tried to verdict before Your Honor. The third co-lead class counsel in that action now represents the plaintiff in *SourceOne Dental, Inc. v. Patterson Cos., Inc., et al.*, No. 1:15-cv-05440-BMC, and we anticipate successful coordination of discovery with that matter to the extent practicable.

It is our understanding that seventeen direct purchaser cases have been filed in this District and marked for relation to Your Honor, and that no similar actions are currently pending in any other federal court. Accordingly, it is an appropriate time to address consolidation as well as appointment of lead class counsel and liaison counsel. We are happy to report that our agreed leadership proposal has been met with near universal support and enthusiasm from other plaintiffs' counsel. We look forward to addressing this matter and the other issues identified in CMO No. 1, as well as in your Order of today, with Your Honor at tomorrow's conference.

Sincerely,



John Radice

cc: Counsel in all associated cases (via ECF)